

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DARRIAN BLACK, ROGER J. MIRACLE,
ANN M. MIRACLE, VIRGINIA LOUISE
BLEEG, HAROLD S. MacLAUGHLAN, and
REBECA MacLAUGHLAN,

Plaintiffs,

Case No. 3:12-cv-02213-HU (Lead Case)
3:12-cv-02221-HU (Trailing Case)
2:12-cv-02222-HU (Trailing Case)

ORDER

v.

RICK HASELTON, REX ARMSTRONG,
ELLEN ROSENBLUM, PAUL DE MUNIZ,
W. MICHAEL GILLETTE, ROBERT DURHAM,
THOMAS BALMER, RIVES KISTLER,
VIRGINIA LINDER, JACK LANDAU, and
DEBBIE SLAGLE, all in their official capacities,

Defendants.

Robert C. Robertson
1175 East Main Street, Suite 1F
Medford, OR 97504

Attorney for Plaintiffs

Darsee Staley
OREGON DEPARTMENT OF JUSTICE
TRIAL DIVISION, CC&E SECTION
1515 SW Fifth Avenue, Suite 410
Portland, OR 97201

G. Frank Hammond
OREGON DEPARTMENT OF JUSTICE
TRIAL DIVISION
1162 Court Street
Salem, OR 97301

Attorneys for Defendants

HERNANDEZ, District Judge:

Magistrate Judge Dennis James Hubel issued a Findings and Recommendation [40] on November 21, 2013, recommending that Defendants' motion to dismiss [22] be granted and that this action be dismissed with prejudice. Plaintiffs filed timely objections to the Magistrate Judge's Findings and Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure.

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, as here, the district court must make a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered Plaintiffs' objections and conclude that these objections do not provide a basis to modify the Findings and Recommendation. I have also reviewed the pertinent portions of the record de novo and find no error in the Magistrate Judge's Findings and Recommendation.

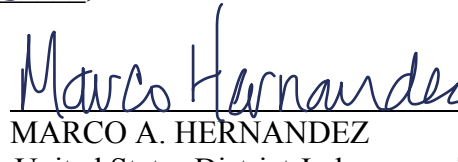
///

CONCLUSION

The Court ADOPTS the Magistrate Judge's Findings and Recommendation [22].
Accordingly, Defendants' motion to dismiss [22] is GRANTED and this action is dismissed with prejudice.

IT IS SO ORDERED.

DATED this 4 day of Feb, 2014.


MARCO A. HERNANDEZ
United States District Judge